

**Determination of NEPA Adequacy (DNA)**  
**U.S. Department of Interior**  
**Bureau of Land Management**

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**OFFICE:** *Hassayampa Field Office (HFO)*

**NEPA/TRACKING NUMBER:** *DOI – BLM – AZ – P010 – 2014 – 007 – DNA*

**CASEFILE/PROJECT NUMBER:** *AZA – 27339*

**PROPOSED ACTION TITLE/TYPE:** 43CFR3715 Occupancy – Burns

**LOCATION/LEGAL DESCRIPTION:**

T. 10 N, R. 2 E., Sec. 29, portion of NE¼, G&SRM, Yavapai County, AZ. Gate at UTM 12 393036E 3786613N (NAD83). Shed at UTM 12 392924E 3786928N (NAD 83).

**APPLICANT (if any):** *Franklin Burns*

**A. Description of the Proposed Action and any applicable mitigation measures**

1. The use of a locked chain restricting vehicle access to the mining claim. BLM will be provided with current key(s) for administrative access.
2. The structure housing the pilot milling equipment. This prevents vandalism and theft, and eliminates attractive nuisance qualities.
3. The placement of fence(s) and / or cover(s) around operating areas, shafts, or other hazards for public and wildlife safety.
4. The placement of a steel tank for water for processing operations. This protects and conserves the water being used for processing.
5. Storage of excavated and / or crushed ore until reclamation. Piles in various states of milling are stored adjacent to the mill and replaced when processing is complete.

Mitigation measures are designated as the “Performance Measures” and “Actions and Activities Not Allowed” listed in Appendix 4 of the “Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997.”

**B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: **Bradshaw-Harquahala Resource Management Plan**

Date Approved/Amended: **4/22/2010**

☐ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

The plan states in Mineral Resources, under Land Use Allocations element MI-3 on page 33 that “All public lands within the planning area are open to locatable mineral activities except for Tule Creek ACEC, legislatively withdrawn areas and other withdrawn and segregated areas, as shown on Map 12.

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

The 43 CFR 3715 and 3809 regulations provide for the management of surface disturbance associated with mineral exploration and development including mining claim use and occupancy.

Finding of No Significant Impact and Programmatic Environmental Assessment for Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona -- November 18, 1997.

Biological Resources Review, January 8, 2007  
Cultural Resource Review, November 3, 2006

**D. NEPA Adequacy Criteria**

- 1. Is the proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the exiting NEPA document(s)? If there are differences, can you explain whey they are not substantial?**

Yes.

The proposed action involves no restricted lands specifically excluded in the “Finding of No Significant Impact and Programmatic Environmental Assessment for Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona” -- November 18, 1997. Specifically, the proposed action is concurring with the following “typical occupancies” listed on page 3 of the aforementioned document:

“2. Placing on public lands and using operational structures, process buildings, and storage structures needed for mining, milling, and beneficiation operations that are either general permitted or exempted from the APP program.”

“3. Placing on public lands and using residential structures as part of operations that require an APP issued by ADEQ. These structures include tents, motor homes, campers, trailers, cabins, houses, guard shacks, and any other structures designed for and used as residences.

“7. Placing on public lands fences, gates, or signs designed to limit public access.”  
Also, the proposed occupancy was previously analyzed under NEPA document DOI – BLM – AZ – P010 – 2011 – 019 – DNA.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes.

The proposed action is consistent with actions previously covered and reviewed in the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona -- November 18, 1997.

- 3. Is the existing analysis valid in light of new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes.

There is no new information or new circumstances that apply to the proposed action.

- 4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes.

The proposal contains the common elements of the proposed action of the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997.

- 5. Are the public involvement and interagency review associated with existing NEPA documents(s) adequate for the current proposed action?**

Yes.

The proposed action is the same as that covered in the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997.

### **E. Persons/Agencies/BLM Staff Consulted**

<b><u>Name</u></b>	<b><u>Title</u></b>	<b><u>Resource/Agency Represented</u></b>
Judd Sampson	Geologist	Minerals / Hassayampa Field Office

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents

### **CONCLUSION:**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of NEPA.

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Judd Sampson – Hassayampa Field Office Geologist

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Brent Allen – Planning & Environmental Coordinator

\_\_\_\_\_/S/\_\_\_\_\_      01/14/2014  
Rem Hawes – Hassayampa Field Office Manager      **Date**

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.